



Entered on Docket
October 22, 2009

A handwritten signature in black ink that reads "Bruce A. Markell".

Hon. Bruce A. Markell
United States Bankruptcy Judge

WILDE & ASSOCIATES

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The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JPMorgan Chase Bank, NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-8, Mortgage Pass-Through Certificates, Series 2005-8
09-76440

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:

Agustin Gonzalez and Erica Tovar

Debtors.

BK-S-09-25598-BAM

Date: 10/13/09
Time: 1:30pm

Chapter 7

ORDER VACATING AUTOMATIC STAY

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to Secured Creditor The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JPMorgan Chase Bank, NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-8, Mortgage Pass-Through Certificates, Series 2005-8, its assignees and/or successors in interest, of the subject property, generally described as 3096 Emerald Creek Dr., Las Vegas, NV 89156.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtors and Trustee at least five business days' notice of the time, place and date of sale.

DATED this _____ day of _____ 2009

Submitted by:

WILDE & ASSOCIATES

Bv

GREGORY L. WILDE, ESQ.
Attorney for Secured Creditor
208 South Jones Boulevard
Las Vegas, Nevada 89107

APPROVED / DISAPPROVED

Anthony Deluca
5830 W. Flamingo Rd., #233
Las Vegas, NV 89103
Attorney for Debtor(s)

APPROVED / DISAPPROVED

James F. Lisowski, Sr.
P.O Box 95695
Las Vegas, NV 89193
Chapter 7 Trustee

1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 The court waived the requirements of LR 9021.4 No parties appeared or filed written objections, and there is no trustee appointed in the case.5 I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,
and each has approved or disapproved the order, or failed to respond, as indicated below
(list each party and whether the party has approved, disapproved, or failed to respond to the
document):

7 (List Parties)

8 Debtor's counsel:

9 approved the form of this order disapproved the form of this order10 waived the right to review the order and/or failed to respond to the document11 appeared at the hearing, waived the right to review the order12 matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 approved the form of this order disapproved the form of this order15 waived the right to review the order and/or failed to respond to the document

16 Other Party: _____

17 approved the form of this order disapproved the form of this order18 waived the right to review the order and/or failed to respond to the document

19 Breach Order:

20 This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which
22 they have not replied

24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

26 Gregory L. Wilde, Esq.

Attorney for Secured Creditor